

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CARMEN L. CRAWFORD, and
ANTWANIQUE L. CRAWFORD,

Petitioners,

vs.

ANGELA FOLTS-OBERIE,

Respondent.

8:23CV7

MEMORANDUM AND ORDER

This matter is before the Court on Petitioner Carmen Crawford's Motion for Leave to Appeal in Forma Pauperis.¹ [Filing No. 9](#). Petitioner filed a Notice of Appeal, [Filing No. 8](#) on September 5, 2023. Petitioner appeals from the Court's Memorandum and Order and Judgment dated June 28, 2023, [Filing No. 6](#), and [Filing No. 7](#), in which the Court dismissed her habeas petition without prejudice.

As set forth in [Federal Rule of Appellate Procedure 24\(a\)\(3\)](#):

(a) Leave to Proceed in Forma Pauperis . . .

(3) Prior Approval. A party who was permitted to proceed in forma pauperis in the district-court action, or who was determined to be financially unable to obtain an adequate defense in a criminal case, may proceed on appeal in forma pauperis without further authorization, unless:

(A) the district court--before or after the notice of appeal is filed--certifies that the appeal is not taken in good faith or finds that the

¹ Petitioner Carmen Crawford filed a Petition for Writ of Habeas Corpus, [Filing No. 1](#), on January 3, 2023, on behalf of her daughter, Antwanique L. Crawford.

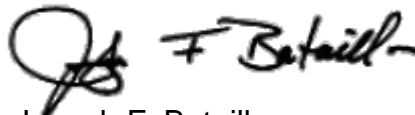
party is not otherwise entitled to proceed in forma pauperis and states in writing its reasons for the certification or finding

The Court finds that because Petitioner proceeded IFP in the district court, she may now proceed on appeal in forma pauperis without further authorization.

IT IS THEREFORE ORDERED that Petitioner's Motion for Leave to Appeal in Forma Pauperis, [Filing No. 9](#), is granted.

Dated this 11th day of September, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", with a stylized flourish at the end.

Joseph F. Bataillon
Senior United States District Court